

Viewpoints, Outlook

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Breathtaking idea

Houston: Just say 'yes' to clean air

The EPA should decline all requests to extend compliance deadlines here

By VICTOR B. FLATT

Last week the Texas Commission on Environmental Quality announced that the Houston-Galveston-Brazoria region will not comply with the Clean Air Act's requirement to eliminate unhealthy levels of ozone by 2010, ensuring that the state will ask the EPA for an extension of time until 2018 to reach attainment. The EPA should just say "No!"

The Clean Air Act has required states to ensure that their citizens breathe clean air since 1975. Unsatisfied with lagging results for ozone, Congress passed an amendment in 1990 setting up a new timetable for compliance with healthy ozone levels. That statute realistically noted that those cities that had the worst problem with ozone, such as Los Angeles and Houston, could have more time to address the issue. But if cities failed to meet their targeted deadline, automatic provisions required more stringent controls on existing sources and a cut-off of federal assistance for highway building.

Due to extensive lobbying, Houston was given a special compliance deadline of 2007, later than all other cities except Los Angeles. The deadline was extended to 2010 when new studies showed that the areas must have more stringent ozone controls to provide for the public health. Now the TCEQ claims that meeting that target deadline is impossible.

This is simply not true, and the citizens of Houstonians should not have to suffer because Texas has dragged its feet for thirty30 years in addressing this problem.

The TCEQ was under a deadline to clean the air of unhealthy ozone in 1975, and given even more explicit direction to do so in 1990. But unlike some other cities that at least made progress in the ensuing decade, the ozone problem in Houston (and in some other Texas cities) got worse, not better. Los Angeles, a far larger city with robust growth on a par with Houston, reduced its unhealthy ozone days by over 75 percent, ceding its undesirable "most polluted city" moniker to Houston in some years.

The TCEQ, with direction and pressure from the Texas Legislature and governor, squandered its opportunities over the years to lay the groundwork for future reductions. Claiming impossibility now is like a teenager putting off his homework to party and play and then asking for an extension to turn it in. Except late homework doesn't kill people; ozone pollution does.

The TCEQ now wishes to rely on expected future reductions from new automobiles to help with the ozone problems, rather than trying to control the problem through further stationary source reductions of ozone precursors, intensified control of transport and offloading equipment, development controls and alternative transportation planning.

This not only forces us to be exposed to unhealthy air for a longer period of time, it is also unfair to all of the other states that have taken the difficult steps to ensure the health of their residents.

It is true that more cost-efficient controls could come through national controls on marine, air and rail sources rather than further stationary sources or automobile usage; and there is a question of the ability of the state to control these sources. But rather than throw up its hands and wait, Texas should be working with California, which is lobbying Congress to change the laws in controlling these sources more effectively. State Sen. Rodney Ellis, D-Houston, and the

mayors of Texas' big cities have also called for the Legislature to adopt the California "automobile" standards, which would provide help in controlling ozone in the long term, and assist in the 2010 deadline.

But even without these measures, meeting the 2010 deadline is not impossible. The state has much that it can control, including: port equipment; truck stops; stationary sources; development location; and existing automobile usage. These kinds of controls, such as how petrochemicals are transferred and where roads are expanded or built, would also help with the toxic air pollution problem that bedevils Houston's health.

Granting an extension won't even necessarily address the problem in the future. There is no guarantee that the TCEQ target of 2018 will be met or that the ozone levels won't need to be controlled even more strictly in the future. Why should we assume that giving an extension would not merely encourage further postponement of real leadership in addressing the problem? In 2018, will the TCEQ again be claiming impossibility in meeting the ozone standard?

In 1996, Georgia claimed that it would be impossible for the Atlanta metro area to meet its earlier deadline for ozone compliance. It was expected that the EPA wouldn't immediately enforce the law and would instead give Georgia a pass. But the EPA and other federal agencies did follow the law, and the Atlanta area was cut off from federal highway funding for the metro region.

Spurred by this loss of money, the state created the Georgia Regional Transportation Authority, which required all affected jurisdictions to plan growth and development together or face penalties. Georgia then figured out how to control runaway polluting development at no cost to Atlanta's growth.

One would hope that the health of its residents would be enough incentive for Texas to make the decisions necessary to control ozone in the Houston area. But since that is not the case, we can hope that the EPA will follow the law and not allow the state to continue endangering our health.

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